

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : VERIFIED COMPLAINT

:

Plaintiff,

-v.-

:

15 Civ. _____

:

\$33,000,000 IN UNITED STATES
CURRENCY,

:

:

Defendant-in-Rem.

:

- - - - - x

Plaintiff United States of America, by its attorney,
PREET BHARARA, United States Attorney for the Southern District
of New York, for its Verified Complaint (the "Complaint")
alleges, upon information and belief, as follows:

JURISDICTION AND VENUE

1. This action is brought by the United States of
America pursuant to by the United States pursuant to Title 18,
United States Code, Section 981(a)(1)(C), seeking the forfeiture
of \$33,000,000 in United States currency (the "Defendant Funds"
or the "Defendant-in-Rem").

2. This Court has jurisdiction pursuant to Title 28,
United States Code, Section 1355.

3. Venue is proper pursuant to Title 28 United
States Code, Section 1355(b)(1)(A) because acts and omissions

giving rise to the forfeiture of the Defendant Currency took place in the Southern District of New York, and, pursuant to Title 28 United States Code, Section 1395, because the Defendant Funds was found and seized in the Southern District of New York, and because this action concerning the Defendant Funds accrued in the Southern District of New York. Venue is also proper in this district pursuant to Title 18, United States Code, Section 981(h) as the Defendant Funds have been transferred to the United States Marshals Service ("USMS") and deposited in the Seized Asset Deposit Fund Account with the Federal Reserve Bank located in the Southern District of New York.

4. The Defendant Funds represent property constituting and derived from (1) proceeds of operating an illegal gambling business in violation of Title 18, United States Code, Section 1955, (2) proceeds of wire fraud in violation of Title 18, United States Code, Section 1343, and (3) proceeds of bank fraud, in violation of Title 18, United States Code, Section 1344; and are thus subject to forfeiture to the United States pursuant to Title 18, United States Code, Sections 981(a)(1)(C).

Probable Cause for Forfeiture

5. In September 2010, Sportingbet PLC ("Sportingbet") entered into a Non-Prosecution Agreement with the United States, wherein, *inter alia*, Sportingbet agreed to

forfeit a total of \$33,000,000, i.e., the Defendant Funds, to the United States. Consistent with the terms of the Non-Prosecution Agreement, Sportingbet has caused a total of \$33,000,000 to be transferred to the United States Marshals. The Non-Prosecution Agreement, with the accompanying Statement of Facts, is attached hereto as Exhibit 1 and incorporated herein.

Claim for Forfeiture

6. The allegations contained in paragraphs One through Five of this Complaint are incorporated by reference herein.

7. Title 18, United States Code, Section 981(a)(1)(C) subjects the following to forfeiture:

Any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of section . . . 1344 of this title or any offense constituting 'specified unlawful activity' (as defined in section 1956(c)(7) of this title), or a conspiracy to commit such offense.

8. Title 18, United States Code, Section 1956(c)(7) defines the term "specified unlawful activity" to mean, in relevant part, "any act or activity constituting an offense listed in Section 1961(1) of this title. . . ." Among the specified unlawful activity set forth in Title 18, United States Code, Section 1961(1) are Title 18, United States Code, Section

1955 (relating to the prohibition of operating an illegal gambling business), Title 18, United States Code, Section 1343 (relating to wire fraud), and Title 18, United States Code, Section 1344 (relating to financial institution fraud).

9. By reason of the foregoing, the Defendant-in-Rem is subject to forfeiture to the United States of America pursuant to Title 18, United States Code, Section 981(a)(1)(C).

WHEREFORE, Plaintiff, United States of America, prays that process issue to enforce the forfeiture of the Defendant-in-Rem and that all person having an interest in the Defendant-in-Rem be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the Defendant-in-Rem to the United States of America for disposition according to law, and that this Court grant Plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York
December 15 2015

PREET BHARARA
United States Attorney for
Plaintiff United States of America

By: 

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Qualified in Nassau County
My Commission Expires May 8, 2018